UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/720,843	11/24/2003	David A. Schwartz	SOL.003.DIV1	5194

26990 7590 07/24/2006		

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SAN DIEGO, CA 92121

EXAMINER
RUSSEL, JEFFREY E

ART UNIT	PAPER NUMBER
1654	

DATE MAILED: 07/24/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Notice of Non-Compliant Amendment (37 CFR 1.121)	Application No.	Applicant(s)
	10/720,843	SCHWARTZ, DAVID A.
	Examiner	Art Unit
	Jeffrey E. Russel	1654

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

The amendment document filed on <u>06 April 2006</u> is considered non-compliant because it has failed to meet the requirements of 37 CFR 1.121 or 1.4. In order for the amendment document to be compliant, correction of the following item(s) is required.

THE FOLLOWING MARKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

☒ 1. Amendments to the specification:
    ☒ A. Amended paragraph(s) do not include markings.
    ☐ B. New paragraph(s) should not be underlined.
    ☐ C. Other _____.

☐ 2. Abstract:
    ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
    ☐ B. Other _____.

☐ 3. Amendments to the drawings:
    ☐ A. The drawings are not properly identified in the top margin as "Replacement Sheet," "New Sheet," or "Annotated Sheet" as required by 37 CFR 1.121(d).
    ☐ B. The practice of submitting proposed drawing correction has been eliminated. Replacement drawings showing amended figures, without markings, in compliance with 37 CFR 1.84 are required.
    ☐ C. Other _____.

☒ 4. Amendments to the claims:
    ☒ A. A complete listing of all of the claims is not present.
    ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
    ☒ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following status identifiers: (Original), (Currently amended), (Canceled), (Previously presented), (New), (Not entered), (Withdrawn) and (Withdrawn-currently amended).
    ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
    ☐ E. Other: _____.

☒ 5. Other (e.g., the amendment is unsigned or not signed in accordance with 37 CFR 1.4):
    See attachments: Examiner's Comments; Raw Sequence Listing Error Report

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714.

TIME PERIODS FOR FILING A REPLY TO THIS NOTICE:

1. Applicant is given **no new time period** if the non-compliant amendment is an after-final amendment or an amendment filed after allowance. If applicant wishes to resubmit the non-compliant after-final amendment with corrections, the **entire corrected amendment** must be resubmitted.

2. Applicant is given **one month**, or thirty (30) days, whichever is longer, from the mail date of this notice to supply the correction, if the non-compliant amendment is one of the following: a preliminary amendment, a non-final amendment (including a submission for a request for continued examination (RCE) under 37 CFR 1.114), a supplemental amendment filed within a suspension period under 37 CFR 1.103(a) or (c), and an amendment filed in response to a *Quayle* action. If any of above boxes 1. to 4. are checked, the correction required is only the **corrected section** of the non-compliant amendment in compliance with 37 CFR 1.121.

    <u>Extensions of time</u> are available under 37 CFR 1.136(a) <u>only</u> if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action.

    <u>Failure to timely respond</u> to this notice will result in:
        Abandonment of the application if the non-compliant amendment is a non-final amendment or an amendment filed in response to a *Quayle* action; or
        Non-entry of the amendment if the non-compliant amendment is a preliminary amendment or supplemental amendment.
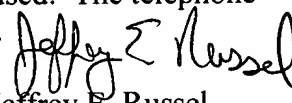
Legal Instruments Examiner (LIE), if applicable	Telephone No.

1.   The Sequence Listing filed April 6, 2006 was not approved by STIC for the reasons set

forth in the attached Raw Sequence Listing Error Report.

2.   The preliminary amendment to the specification and claims filed April 6, 2006 does not

comply with 37 CFR 1.121.

3.   The preliminary amendment canceling certain claims, set forth at page 2 of the Response

to the Restriction Requirement, also does not comply with 37 CFR 1.121.

4.   It should be noted that there is currently no claim for priority under 35 U.S.C. 120 or

119(e) in this application. The preliminary amendment filed November 24, 2003 attempting to

insert such a claim was not entered.

5.   Any inquiry concerning this communication or earlier communications from the
examiner should be directed to Jeffrey E. Russel at telephone number (571) 272-0969. The
examiner can normally be reached on Monday-Thursday from 8:00 A.M. to 5:30 P.M. The
examiner can also be reached on alternate Fridays.
         If attempts to reach the examiner by telephone are unsuccessful, the examiner's
supervisor Cecilia Tsang can be reached at (571) 272-0562. The fax number for formal
communications to be entered into the record is (571) 273-8300; for informal communications
such as proposed amendments, the fax number (571) 273-0969 can be used. The telephone
number for the Technology Center 1600 receptionist is (571) 272-1600.

Jeffrey E. Russel
Primary Patent Examiner
Art Unit 1654

JRussel
July 18, 2006

RAW SEQUENCE LISTING   DATE: 04/12/2006
PATENT APPLICATION: US/10/720,843C   TIME: 10:49:22

Input Set : **E:\Solseqlst.txt**
Output Set: **N:\CRF4\04122006\J720843C.raw**

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   4         Schwartz, David A.
   6 <120> TITLE OF INVENTION: HYDRAZINE-BASED AND CARBONYL-BASED
   7         BIFUNCTIONAL CROSSLINKING REAGENTS
  10 <130> FILE REFERENCE: SOL.003.DIV1
C--> 12 <140> CURRENT APPLICATION NUMBER: US/10/720,843C
  13 <141> CURRENT FILING DATE: 2003-11-24
  15 <150> PRIOR APPLICATION NUMBER: 09/815,978
  16 <151> PRIOR FILING DATE: 2001-03-22
E--> 18 <160> NUMBER OF SEQ ID NOS: 60/191,186
E--> 19 <161> 2000-03-22
  21 <170> SOFTWARE: 1
E--> 23 <180> FastSEQ for Windows Version 4.0
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ERRORED SEQUENCES

SEQUENCE LISTING

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      Schwartz, David A.

<120> HYDRAZINE-BASED AND CARBONYL-BASED
      BIFUNCTIONAL CROSSLINKING REAGENTS

<130> SOL.003.DIV1

<140> 10/702,843 10/720,843
<141> 2003-11-24

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<161> 2000-03-22

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<213> Artificial Sequence

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<221> modified_base
<222> 1
<223> n= n-hexylamino thymine

<400> 1
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Handwritten annotations:

Suggestion: Consult Sequence Rules for valid format

change to <1507 (<160>)
<1577 (<161>)
<1607 (<170>)
<1707 <180>

<1507 and <1577 are used for all prior application data

<1607 is used for total number of sequences

<1707 is used for software   <1807 is invalid

3

Input Set : **E:\Solseqlst.txt**
Output Set: **N:\CRF4\04122006\J720843C.raw**

L:12 M:270 C: Current Application Number differs, Replaced Current Application Number
L:19 M:250 E: Invalid Numeric Identifier, INVALID IDENTIFIER
L:23 M:250 E: Invalid Numeric Identifier, INVALID IDENTIFIER
L:34 M:281 W: Numeric Fields not Ordered, <221> Sort in ascending order!
L:38 M:258 W: Mandatory Feature missing, <220> Tag not found for SEQ ID#:1
L:39 M:341 W: (46) "n" or "Xaa" used, for SEQ ID#:1 after pos.:0
L:18 M:203 E: No. of Seq. differs, <160> Number Of Sequences:Input (60) Counted (1)